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Attorneys for Defendants GRUBHUB HOLDINGS INC.
and GRUBHUB INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ANDREW TAN and RAEF LAWSON in their
capacities as Private Attorney General
Representatives, and RAEF LAWSON,
individually and on behalf of all other similarly
situated individuals,

Plaintiffs,

v.

GRUBHUB HOLDINGS INC. and
GRUBHUB INC.,

Defendants.

CASE NO. 3:15-cv-05128-JSC

**DEFENDANTS' OBJECTIONS TO
PLAINTIFF'S EXHIBITS ON JOINT
EXHIBIT LIST**

Defendants Grubhub Holdings Inc. and Grubhub Inc. (collectively, “Grubhub”) make the following objections to certain of Plaintiff’s exhibits on the Joint Exhibit List, filed on August 21, 2017. *See* Dkt. 183. To the extent Plaintiff provides amendments to the Joint Exhibit List after this date, Grubhub reserves the right to make further objections. Grubhub also reserves the right to make additional objections during trial. Nothing herein shall be construed as Grubhub’s agreement with Plaintiff’s “Description” of the below exhibits or a stipulation as to the admissibility of other exhibits.

Trial Exhibit No.	Document Description	Bates Number(s)	Objection	Court’s Ruling On Objection
1	GrubHub Delivery Service Provider Agreement (August 28, 2015)	GH001117-1133	FRE 403/Misleading, undue prejudice, confusion of issues, waste of time. This is an incomplete document that is not signed. Grubhub proposes using the version used at Plaintiff’s deposition to avoid confusion and wasting time discussing multiple exhibits.	
22	Jeff Smith Email Chain re Restaurant Feedback	GH001315-1317	FRE 401/Relevance; FRE 403/Misleading, undue prejudice, confusion of issues, waste of time; <i>see</i> Defs’ Not. of Mot. and Mot. in Limine No. 1 to Exclude Documentary Evidence Regarding Non-Witness Delivery Service Providers (“DSPs”), Dkt. 161 (“MIL 1”), Defs’ Not. of Mot. and Mot. in Limine No. 2 to Exclude Evidence of Defendants’ Policies and Practices Outside the Time Period When Plaintiff Performed Deliveries Through Grubhub, Dkt. 163 (“MIL 2”). This email relates to DSPs other than Plaintiff and occurred outside the time period that Plaintiff was performing delivery services through Grubhub and is therefore irrelevant to the Phase One trial and will only serve to waste time, confuse the issues, mislead the trier of fact, and unduly prejudice Grubhub.	
23	“	GH001318-1319	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001315-1317.	

Trial Exhibit No.	Document Description	Bates Number(s)	Objection	Court's Ruling On Objection
24	“	GH001320-1321	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001315-1317.	
25	“	GH001322-1323	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001315-1317.	
26	Jeff Smith Email Chain re Terminating Drivers	GH001052-1053	FRE 401/Relevance; FRE 403/Misleading, undue prejudice, confusion of issues, waste of time; <i>see</i> MILs 1, 2. This email relates to DSPs other than Plaintiff and occurred outside the time period that Plaintiff was performing delivery services through Grubhub and is therefore irrelevant to the Phase One trial and will only serve to waste time, confuse the issues, mislead the tier of fact, and unduly prejudice Grubhub.	
27	“	GH001054-1055	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001052-1053.	
28	“	GH001056	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001052-1053.	
29	“	GH001057	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001052-1053.	
30	“	GH001324-1326	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001052-1053.	
31	GrubHub Termination Emails to Other Drivers	GH000543	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001052-1053.	
32	“	GH000544	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001052-1053.	
33	“	GH000579	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001052-1053.	
34	“	GH000638	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001052-1053.	

Trial Exhibit No.	Document Description	Bates Number(s)	Objection	Court's Ruling On Objection
35	"	GH000639	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001052-1053.	
36	"	GH000659	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001052-1053.	
37	"	GH000710	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001052-1053.	
38	"	GH000754	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001052-1053.	
39	"	GH000763	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001052-1053.	
40	"	GH000770	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001052-1053.	
41	"	GH000803	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001052-1053.	
76	GrubHub Application Page	LAWSON00 2076-2080	<p>FRE 401/Relevance; FRE 403/Misleading, undue prejudice, confusion of issues, waste of time; <i>see</i> MILs 1, 2, Defs' Not. of Mot. and Mot. in Limine No. 3 to Exclude Evidence of Defendants' Policies and Practices Outside of California, Dkt. 163 ("MIL 3").</p> <p>This document is not related to Plaintiff or from the time period that he performed services through Grubhub and is therefore not relevant and serves no purpose except to waste time, confuse the issues, mislead the trier of fact, and unduly prejudice Grubhub.</p>	
77	GrubHub FAQ	LAWSON00 2067-002075	<p>FRE 401/Relevance; FRE 403/Misleading, undue prejudice, confusion of issues, waste of time; <i>see</i> MILs 1, 2, 3.</p> <p>This document is not related to Plaintiff, is not from the time period that he performed services through Grubhub, and does not relate to DSPs specifically, and is therefore not relevant and serves no purpose except to waste time, confuse the issues, mislead the trier of fact, and unduly prejudice Grubhub.</p>	

Trial Exhibit No.	Document Description	Bates Number(s)	Objection	Court's Ruling On Objection
78	Training Documents – Jeff Smith Created	GH001443-1445	FRE 401/Relevance; FRE 403/Misleading, undue prejudice, confusion of issues, waste of time; <i>see</i> MILs 1, 2, 3. This document was not used to train Operations Specialists and was created after Plaintiff stopped performing delivery services through Grubhub. Therefore, this document is irrelevant to the Phase One trial and only serves to waste time, confuse the issues, mislead the trier of fact, and unduly prejudice Grubhub.	
79	“	GH001446-1447	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001443-1445.	
80	“	GH001448-1450	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001443-1445.	
81	“	GH001451-1452	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001443-1445.	
82	“	GH001453-1463	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001443-1445.	
83	“	GH001464	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001443-1445.	
84	“	GH001465	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001443-1445.	
85	“	GH001466-1470	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001443-1445.	
86	“	GH001471-1479	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001443-1445.	
87	“	GH001480-1481	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001443-1445.	
88	“	GH001482-1483	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001443-1445.	

Trial Exhibit No.	Document Description	Bates Number(s)	Objection	Court's Ruling On Objection
89	"	GH001484-1485	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001443-1445.	
90	"	GH001486-1490	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001443-1445.	
91	"	GH001491	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001443-1445.	
92	"	GH001492-1498	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001443-1445.	
93	"	GH001499-1500	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001443-1445.	
94	"	GH001501-1520	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001443-1445.	
95	"	GH001521-1538	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001443-1445.	
96	"	GH001593-1540	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001443-1445.	
97	"	GH001541-1542	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001443-1445.	
98	"	GH001543-1544	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001443-1445.	
99	"	GH001545-1546	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001443-1445.	
100	"	GH001547-1548	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001443-1445.	
101	"	GH001549-1555	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001443-1445.	
102	"	GH001556	Grubhub incorporates by reference, as though fully stated herein, its objections to GH001443-1445.	

Trial Exhibit No.	Document Description	Bates Number(s)	Objection	Court's Ruling On Objection
103	Other Driver Documents	LAWSON00 1544-1545	<p>Foundation; FRE 801 & 802/Hearsay; FRE 901/Authentication; FRE 401/Relevance; FRE 403/Misleading, undue prejudice, confusion of issues, waste of time; <i>see</i> MILs 1, 2, 3.</p> <p>This email relates to DSPs other than Plaintiff, occurred outside the time period that Plaintiff was performing delivery services through Grubhub, and relates to DSPs outside of California, and is therefore irrelevant to the Phase One trial and will only serve to waste time, confuse the issues, mislead the trier of fact, and unduly prejudice Grubhub. Further, the persons sending and receiving this email are not witnesses at the Phase One trial and therefore this email cannot be authenticated. This email also constitutes inadmissible hearsay.</p>	
104	“	LAWSON00 1546	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	
105	“	LAWSON00 1547-1549	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	
106	“	LAWSON00 1550-1551	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	
107	“	LAWSON00 1552-1553	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	
108	“	LAWSON00 1554-1555	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	
109	“	LAWSON00 1556-1557	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	
110	“	LAWSON00 1558-1559	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	

Trial Exhibit No.	Document Description	Bates Number(s)	Objection	Court's Ruling On Objection
111	“	LAWSON001560-1562	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	
112	“	LAWSON001563	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	
113	“	LAWSON001564-1567	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	
114	“	LAWSON001568-1569	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	
115	“	LAWSON001570	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	
116	“	LAWSON001571-1572	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	
117	“	LAWSON001573	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	
118	“	LAWSON001574-1574	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	
119	“	LAWSON001576-1577	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	
120	“	LAWSON001578-1579	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	
121	“	LAWSON001580-1582	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	
122	“	LAWSON001583	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	
123	“	LAWSON001584-1585	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	
124	“	LAWSON001586-1587	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	

Trial Exhibit No.	Document Description	Bates Number(s)	Objection	Court's Ruling On Objection
125	“	LAWSON001588-1590	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	
126	“	LAWSON001591-1593	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	
127	“	LAWSON001594-1595	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	
128	“	LAWSON000798	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001544-1545.	
129	“	DAVARI000001	Foundation; FRE 901/Authentication; FRE 801 & 802/Hearsay; FRE 401/Relevance; FRE 403/Misleading, undue prejudice, confusion of issues, waste of time. Mr. Davari is not a witness at the Phase One trial. This document relates to DSPs other than Plaintiff and is therefore irrelevant to the Phase One trial and will only serve to waste time, confuse the issues, mislead the trier of fact, and unduly prejudice Grubhub.	
130	“	DAVARI000017	Grubhub incorporates by reference, as though fully stated herein, its objections to DAVARI000001. Grubhub further objects that this document does not appears to be the complete email chain and therefore will waste time, confuse the issues, mislead the trier of fact, and unduly prejudice Grubhub.	
131	“	DAVARI000024	Grubhub incorporates by reference, as though fully stated herein, its objections to DAVARI000001. Grubhub further objects that this document does not appears to be the complete email chain and therefore will waste time, confuse the issues, mislead the trier of fact, and unduly prejudice Grubhub.	
132	“	DAVARI000037	Grubhub incorporates by reference, as though fully stated herein, its objections to DAVARI000001.	

Trial Exhibit No.	Document Description	Bates Number(s)	Objection	Court's Ruling On Objection
133	GrubHub Driver Master Data	GH001348-1425	<p>FRE 401/Relevance; FRE 403/Misleading, undue prejudice, confusion of issues, waste of time; Foundation; <i>see</i> MILs 1, 3.</p> <p>This document includes information related to DSPs other than Plaintiff and to DSPs who performed services outside of California and, to that extent, is irrelevant to the Phase One trial and will only serve to waste time, confuse the issues, mislead the trier of fact, and unduly prejudice Grubhub. Grubhub further objects on the grounds that this document is incomplete because it does not include the parent email and therefore lacks foundation.</p>	
134	Grubhub CA Market Data	GH001426-1441	<p>FRE 401/Relevance; FRE 403/Misleading, undue prejudice, confusion of issues, waste of time; Foundation; <i>see</i> MIL 1.</p> <p>This document includes information related to DSPs other than Plaintiff and, to that extent, is irrelevant to the Phase One trial and will only serve to waste time, confuse the issues, mislead the trier of fact, and unduly prejudice Grubhub. Grubhub further objects on the grounds that this document is incomplete because it does not include the parent email and therefore lacks foundation.</p>	
135	Aggregate Data	GH002145-2146	<p>FRE 401/Relevance; FRE 403/Misleading, undue prejudice, confusion of issues, waste of time; <i>see</i> MILs 1, 2, 3.</p> <p>This report is from March 2017, when Plaintiff was no longer performing delivery services through Grubhub, does not contain information about any specific DSPs, and contains information related to markets outside of California, and is therefore irrelevant to the Phase One trial and only serves to waste time, confuse the issues, mislead the trier of fact, and unduly prejudice Grubhub.</p>	

Trial Exhibit No.	Document Description	Bates Number(s)	Objection	Court's Ruling On Objection
136	“	GH002205-2206	Grubhub incorporates by reference, as though fully stated herein, its objections to GH002145-2146.	
137	“	GH002289-2290	Grubhub incorporates by reference, as though fully stated herein, its objections to GH002145-2146.	
143	Nguyen Documents	NGUYEN000001-2	<p>FRE 401/Relevance; FRE 403/Misleading, undue prejudice, confusion of issues, waste of time; <i>see</i> MILs 1, 2.</p> <p>Should Mr. Nguyen not testify at the Phase One trial, Grubhub reserves the right to object to this document on the grounds of: Foundation; FRE 901/Authentication; FRE 801 & 802/Hearsay; FRE 401/Relevance; FRE 403/Misleading, undue prejudice, confusion of issues, waste of time.</p> <p>This document relates to DSPs other than Plaintiff and occurred outside the time period that Plaintiff was performing delivery services through Grubhub and is therefore irrelevant to the Phase One trial and will only serve to waste time, confuse the issues, mislead the trier of fact, and unduly prejudice Grubhub.</p>	
144	“	NGUYEN000054-59	Grubhub incorporates by reference, as though fully stated herein, its objections to NGUYEN000001-22.	
145	“	NGUYEN000062-63	Grubhub incorporates by reference, as though fully stated herein, its objections to NGUYEN000001-22.	
146	“	NGUYEN000064	Grubhub incorporates by reference, as though fully stated herein, its objections to NGUYEN000001-22.	
147	“	NGUYEN000066	Grubhub incorporates by reference, as though fully stated herein, its objections to NGUYEN000001-22.	
148	“	NGUYEN000074	Grubhub incorporates by reference, as though fully stated herein, its objections to NGUYEN000001-22.	
149	“	NGUYEN000105-106	Grubhub incorporates by reference, as though fully stated herein, its objections to NGUYEN000001-22.	

Trial Exhibit No.	Document Description	Bates Number(s)	Objection	Court's Ruling On Objection
150	"	NGUYEN000112	Grubhub incorporates by reference, as though fully stated herein, its objections to NGUYEN000001-22.	
151	"	NGUYEN000113	Grubhub incorporates by reference, as though fully stated herein, its objections to NGUYEN000001-22.	
152	"	NGUYEN000114	Grubhub incorporates by reference, as though fully stated herein, its objections to NGUYEN000001-22.	
153	"	NGUYEN000115	Grubhub incorporates by reference, as though fully stated herein, its objections to NGUYEN000001-22.	
154	"	NGUYEN000116	Grubhub incorporates by reference, as though fully stated herein, its objections to NGUYEN000001-22.	
155	"	NGUYEN000117	Grubhub incorporates by reference, as though fully stated herein, its objections to NGUYEN000001-22.	
156	"	NGUYEN000118	Grubhub incorporates by reference, as though fully stated herein, its objections to NGUYEN000001-22.	
157	"	NGUYEN000119	Grubhub incorporates by reference, as though fully stated herein, its objections to NGUYEN000001-22.	
158	"	NGUYEN000124	Grubhub incorporates by reference, as though fully stated herein, its objections to NGUYEN000001-22.	
159	Minimum Wage Charts	LAWSON001635-1636	<p>FRE 401/Relevance; FRE 403/Misleading, undue prejudice, confusion of issues, waste of time; FRCP 26/Constitutes attempted expert testimony from a person who was not designated as an expert; FRE 701/Improper lay testimony; FRE 1006/Improper summary document; Foundation.</p> <p>This purported damages analysis is improper because it fails to identify the source information for the data, the basis for any assumptions, and the method of calculation. It is therefore an improper summary document under FRE 1006 and also calls for an improper expert opinion from a lay witness. This document only serves to waste time, confuse the issues, mislead the trier of fact, and unduly prejudice Grubhub.</p>	

Trial Exhibit No.	Document Description	Bates Number(s)	Objection	Court's Ruling On Objection
160	“	LAWSON001637	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON001635-1636.	
161	Overlap Chart	LAWSON1638-1642	FRE 1006/Improper summary document; Foundation. This document does not identify the source information and whether it is identified on Plaintiff's Preliminary Exhibit List, and therefore is an improper summary document under FRE 1006 and lacks foundation.	
162	GrubHub Driver Care Training Documents – Not Created by Smith	LAWSON001838-1865	Foundation; FRE 901/Authentication; FRE 401/Relevance; FRE 403/Misleading, undue prejudice, confusion of issues, waste of time; <i>see</i> MILS 1, 2, 3. This unidentified compilation of documents serves no purpose but to waste time, confuse the issues, mislead the trier of fact, and unduly prejudice Grubhub.	
166	Grubhub Inc. Form 10-Q (For the quarterly period ended June 30, 2017)	LAWSON002006-2060	FRE 401/Relevance; FRE 403/Misleading, undue prejudice, confusion of issues, waste of time; <i>see</i> MILs 1, 2, 3. This document is from the second quarter of 2017, when Plaintiff was no longer performing delivery services through Grubhub, and is therefore irrelevant to the Phase One trial and only serve to waste time, confuse the issues, mislead the trier of fact, and unduly prejudice Grubhub.	

Trial Exhibit No.	Document Description	Bates Number(s)	Objection	Court's Ruling On Objection
167	Kevin Kelly Restaurant Feedback	GH002077	<p>FRE 401/Relevance; FRE 403/Misleading, undue prejudice, confusion of issues, waste of time; <i>see</i> MILs 1, 3.</p> <p>Should Mr. Kelly not testify at the Phase One trial, Grubhub reserves the right to object to this document on the grounds of: Foundation; FRE 901/Authentication; FRE 801 & 802/Hearsay; FRE 401/Relevance; FRE 403/Misleading, undue prejudice, confusion of issues, waste of time.</p> <p>This document relates to DSPs other than Plaintiff and occurred outside the time period that Plaintiff was performing delivery services through Grubhub and is therefore irrelevant to the Phase One trial and will only serve to waste time, confuse the issues, mislead the trier of fact, and unduly prejudice Grubhub.</p>	
168	Kevin Kelly "Offer" Spreadsheet	GH002078-2125	Grubhub incorporates by reference, as though fully stated herein, its objections to GH002007.	
169	Kevin Kelly "Schedule" Spreadsheet	GH002126-2128	Grubhub incorporates by reference, as though fully stated herein, its objections to GH002007.	
170	Text Message between Kelly and Grubhub	GH002144	Grubhub incorporates by reference, as though fully stated herein, its objections to GH002007.	
171	Kevin Kelly Pay History Detail Report	GH002129-2131	Grubhub incorporates by reference, as though fully stated herein, its objections to GH002077.	
172	Kevin Kelly Delivery Data Spreadsheet Excerpt	GH002021-2024	<p>Grubhub incorporates by reference, as though fully stated herein, its objections to GH002077.</p> <p>Grubhub further objects to this exhibit because it is not the complete document and therefore will waste time, confuse the issues, mislead the trier of fact, and unduly prejudice Grubhub.</p>	

Trial Exhibit No.	Document Description	Bates Number(s)	Objection	Court's Ruling On Objection
173	Grubhub's Answer to Plaintiff's Interrogatory No. 6	LAWSON00 2061-2066	Plaintiff has failed to designate Grubhub's Responses to Plaintiff's Interrogatories pursuant to the Court's pre-trial procedures or by the Court-ordered deadline (<i>see</i> Dkt. 145) and instead has included excerpts of Grubhub's Responses as an exhibit. Grubhub objects to the use of Grubhub's Responses in this form.	
174	Calculation of Minimum Actual Mileage Driven to Deliver Orders	LAWSON00 2081-2083	<p>FRE 401/Relevance; FRE 403/Misleading, undue prejudice, confusion of issues, waste of time; FRCP 26/Constitutes attempted expert testimony from a person who was not designated as an expert; FRE 701/Improper lay testimony; FRE 1006/Improper summary document; Foundation.</p> <p>This purported mileage analysis is improper because it fails to identify the source information for the data, the basis for any assumptions, and the method of calculation. It is therefore an improper summary document under FRE 1006 and also calls for an improper expert opinion from a lay witness. This document only serves to waste time, confuse the issues, mislead the trier of fact, and unduly prejudice Grubhub.</p>	
175	Mileage Comparison	LAWSON00 2084	Grubhub incorporates by reference, as though fully stated herein, its objections to LAWSON002081-2083.	

Dated: August 21, 2017

GIBSON, DUNN & CRUTCHER LLP

By: /s/ Dhananjay S. Manthripragada
Dhananjay S. Manthripragada

Attorneys for Defendants GRUBHUB HOLDINGS INC. and GRUBHUB INC.